

U.S. Student's Spy Term Commuted, Tass Reports

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[Moscow Bureau of the Sun]

Moscow, Oct. 16—An American student, expelled from the Soviet Union over the weekend, was convicted of espionage and sentenced to seven years' imprisonment but given clemency because of his confession and repentance, Tass reported tonight.

The Russians claimed a second American testified against his fellow student and helped prove the spy charges.

In the first public account of the strange case of tourists Mark I. Kaminsky, 28, Jefferson township Mich., and Harvey C. Bennett, 24, Bath, Maine, the official Soviet news agency said both were arrested last August 25 near the Czech border.

Power Case Recalled

The two were completing a tourist auto trip that had taken them from Finland through Leningrad, Moscow and the Ukraine, and were leaving through Czechoslovakia.

Another American tourist was the last to see them. For seven

days the American Embassy refused to receive any information about their disappearance until last Friday. Then the Soviet Foreign Ministry said both were being expelled for espionage.

According to the Tass account, photographic film and a notebook proving he collected intelligence data was taken from Kaminsky. The Russians said Kaminsky was also found to have a map on which he was marking down some unspecified defense installations during his travel.

Expulsion Ordered

"Kaminsky was put on trial for espionage under Article 2," Tass continued. This meant he would have been tried by a military tribunal, for the statute would require it. This was the law under which U-2 pilot Francis Gary Powers was tried, convicted and sentenced to ten years' imprisonment.

"Kaminski pleaded guilty," Tass went on. "And Bennett who appeared as a witness denounced Kaminsky's activities as incompatible with tourism."

The Presidium of the Supreme Soviet which reviews sentences and alone has power of clemency under Soviet law wiped out Kaminsky's sentence. It ordered his expulsion together with Bennett's from the country.

Tass said clemency was granted in light of Kaminsky's alleged confession, his sincere attitude, and his promise not to return. It reported they were put over the border at Uzhgorod into Czechoslovakia but did not specify when.

No further details of the spy

charges were given other than that the two men had deliberately left their route and gone into a border zone to gather information.

Protest Made

The Russians said they had gathered information between Moscow and Minsk, the Ukraine and "other places" again not specified.

The Soviet Foreign Ministry Friday protested orally to the American Embassy over use of tourists as spies.

While more than ten Americans have been arrested on spy charges since the U-2 flight on May 1, all have been expelled except for two surviving airmen of the RB-47 shot down on July 1 and Powers himself, who is now in a suburban Moscow jail.